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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 09-0033 WHA
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME FROM JANUARY 15,
v.	)	2009 THROUGH FEBRUARY 3, 2009
	)	
JEFFREY DAVID SCHINKEL,	)	
	)	
Defendant.	)	

On January 15, 2009, the parties in this case appeared before the Court and stipulated that time should be excluded from the Speedy Trial Act calculations from January 15, 2009 through February 3, 2009. The parties represented that granting the continuance was necessary for continuity of counsel and for effective preparation of counsel to afford defense

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UNITED STATES V. SCHINKEL,  
CR No. 09-0033 WHA,  
STIPULATION AND ~~PROPOSED~~ ORDER EXCLUDING TIME

counsel time to review discovery, taking into account the exercise of due diligence. See 18 U.S.C. § 3161(h)(8)(B)(iv).

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: April 1, 2009

/s/  
DENISE MARIE BARTON  
Assistant United States Attorney

DATED: April 1, 2009

/s/  
EDWIN PRATHER  
CRAIG BESSENGER  
Attorney for JEFFREY DAVID SCHINKEL

As the Court found on January 15, 2009, and for the reasons stated above, the Court finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial and that time should be excluded from the Speedy Trial Act calculations from January 15, 2009 through February 3, 2009 for continuity of counsel and effective preparation of counsel. See 18 U.S.C. §3161 (h)(8)(A). The failure to grant the requested continuance would deny the defendant continuity of counsel and deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. See 18 U.S.C. §3161(h)(8)(B)(iv).

SO ORDERED.

DATED: 4/2/09

HONORABLE  
United States District Judge



UNITED STATES V. SCHINKEL,  
CR No. 09-0033 WHA,  
STIPULATION AND ~~PROPOSED~~ ORDER EXCLUDING TIME